

OFFICIAL REPORT OF PROCEEDINGS

BEFORE THE

**U. S. NATIONAL PARK SERVICE
KONA, HAWAII**

DOCKET NO.

IN THE MATTER OF:

**WILDERNESS PROPOSAL,
HAWAII VOLCANOES NATIONAL PARK**

PLACE: Captain Cook, Kona, Hawaii

DATE: February 23, 1974

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BEFORE THE

U. S. NATIONAL PARK SERVICE

CAPTAIN COOK, KONA, HAWAII

In the Matter of:

WILDERNESS PROPOSAL,

HAWAII VOLCANOES NATIONAL PARK

Yano Memorial Hall,
Captain Cook,
Kona, Hawaii;
Saturday, February 23, 1974

Pursuant to notice, the above-entitled matter came on for
hearing at 9:00 o'clock a.m.,

BEFORE:

JOHN DAVIS, Hearing Officer.

ALSO PRESENT:

HOWARD CHAPMAN, Regional Director of the Western Region,
National Park Service.

BRIAN HARRY, Superintendent, Hawaii Volcanoes National
Park.

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P R O C E E D I N G S

HEARING OFFICER DAVIS: The hearing will please come to order.

Today, we are going to talk about the management of a precious resource, Hawaii Volcanoes National Park. This land, comprising some 223,344 acres, is truly one of America's unique National Parks.

My name is John Davis. I have been designated by the Secretary of the Interior, Rogers C. B. Morton, to act as Presiding Officer at this hearing, which is being held pursuant to the provisions of Public Law 88-577, 88th Congress, approved September 3rd, 1964.

This morning, ladies and gentlemen, I would like to introduce the Regional Director of the Western Region of the National Park Service, Mr. Howard Chapman.

I would also like to introduce the Superintendent of Hawaii Volcanoes National Park, Mr. Brian Harry.

And also, Mr. Bill Chun, who will serve as the Reporter for this hearing. Mr. Chun.

This hearing has been called for the purpose of receiving comments and views as to the appropriateness of the proposal for the establishment of a wilderness in Hawaii Volcanoes National Park. Any such comments and views presented here, as well as any other statements and exhibits, sent to me by March 23rd, will become a part of the official record. These mate-

1 rials will be accorded careful consideration and will become a
2 part of the report of review made to the Secretary of the In-
3 terior.

4 In order to fully inform everyone present of the nature
5 and purpose of the hearing, it might be well to review briefly
6 the series of events which have led to it:

7 The Wilderness Act set out certain procedures for the
8 establishment of wilderness areas to be included in the National
9 Wilderness Preservation System. These procedures assure that
10 in every such review, there will be full consideration of the
11 proposal by the public, the Department which administers the
12 area, the President and the Congress. Implicit in the Act, is
13 the recognition that wilderness is a public resource and that
14 therefore, the public should have a voice in evaluating pro-
15 posals to establish and preserve that resource.

16 Notice to establish wilderness areas in Hawaii Volcanoes
17 National Park was published in the Federal Register of October
18 26th, 1973; and in a number of newspapers which have general
19 circulation in the vicinity of the Park. A copy of the notice
20 and the affidavits of newspaper publications will be made a
21 part of the hearing record.

22 I would like now to offer some explanation about the order
23 and procedure we will follow. This hearing is not a debate or
24 trial and there will be no cross-examinations of persons who
25 present oral or written statements. If any person has a ques-

1 tion germane to the Wilderness Proposal under consideration, it
2 should be directed to me, as the Hearing Officer, and the ques-
3 tioner should identify himself and the organization he repre-
4 sents. If, in my opinion, the question is pertinent to the mat-
5 ter under consideration, I will either attempt to answer it or
6 direct the question to someone better able to provide the ans-
7 wer.

8 All who have given advance notice of the intention to pre-
9 sent oral statements will have an opportunity to do so, and may
10 present any other written materials which relate to the matters
11 contained in the Notice of Public Hearing, for consideration of
12 the Secretary of the Interior. Others, who failed to give ad-
13 vance notice, as the hearing notice required, will have an op-
14 portunity to be heard and may register with the National Park
15 Service Representative seated at the table by the entrance door
16 there.

17 Of course, anyone may submit written statements for the
18 official record, which will be held open for that purpose for
19 30 days, after conclusion of this hearing. Materials submitted
20 after the close of this hearing should be mailed to me, "The
21 Hearing Officer, in care of the Superintendent", whose address
22 is, "Hawaii Volcanoes National Park, Hawaii, 96718".

23 The proceedings of this hearing are being recorded and a
24 transcript of the hearing record will be available in about 10
25 days. It may then be reviewed at the office of the Superinten-

1 dent, and at the Hawaii State Director's office, at 677 Ala
2 Moana Boulevard, Honolulu, the Regional Director of the National
3 Park Service, at 450 Golden Gate Avenue, in San Francisco, as
4 well as in Room 1013 of the Department of the Interior, in Wash-
5 ington, D.C.

6 Anyone who desires a copy, should make arrangements with
7 the Reporter to obtain one. There will be a charge for them and
8 orders will be accepted until about March 18th.

9 Persons who present oral statements for the hearing record
10 should do so from this podium and should speak into the micro-
11 phone provided here. Please speak slowly and distinctly so
12 that the Reporter will be able to record the complete statement.
13 All of this may seem a little technical or strict, but it is
14 necessary for the conduct of an orderly hearing; and I am sure
15 you are as interested as I am in having a complete statement
16 of views for such an evaluation of the Hawaii Volcanoes National
17 Park Wilderness Proposal. Also, it will assure that everyone
18 is given a fair and reasonable opportunity to be heard.

19 To begin with, we will have a presentation of the proposal
20 to establish wilderness in Hawaii Volcanoes National Park by
21 Superintendent Brian Harry, who is representing the Regional
22 Director of the Western Region of the National Park Service,
23 with Headquarters in San Francisco.

24 After that, we will follow generally the order of presen-
25 tation given in the official notice of the hearing.

1 Superintendent Harry.

2 PRESENTATION BY MR. BRIAN HARRY

3 MR. HARRY: Thank you, Mr. Davis.

4 Since the passage of the Wilderness Bill, we have examined
5 the entire acreage of Hawaii Volcanoes National Park, to find
6 areas that are suitable under the Wilderness Act. Basically,
7 these involve all of the roadless areas of the Park, which ex-
8 tend down this way, up across here, over in here, the summit of
9 Mauna Loa and the Olaa Forest tract.

10 We are proposing at this time, 4 major blocks of wilderness.
11 Let me briefly describe these:

12 Block No. 1 goes from the end of the Mauna Loa Strip Road
13 about at this elevation (indicating), and includes the top of
14 Mauna Loa. That land is mostly barren lava, above about this
15 level (indicating). It's reached by trails from the end of the
16 strip road; another trail that goes down the back side of the
17 mountain to the Mauna Loa Observatory, and there is an existing
18 Jeep track that goes to the Crater at the summit of Mauna Loa.

19 The area in yellow that we propose as wilderness, is about
20 58,500 acres. The lower end of it stops, where the main Island
21 powerline crosses the strip of the National Park.

22 Area 2 is along the boundary of the Great Crack, along the
23 boundary at the edge of the sea. It has a long salient into it
24 that is the Hilina Pali Road, that ends up on the Palis above
25 the sea here (indicating).

1 Basically, on this side, this country is open, dry, desert
2 land, and along the sea and in here (indicating), there are
3 barren lava lands that is interspersed with kipukas of ohia
4 trees. It has a network of trails coming from the Caldera, in
5 from the Footprints. There is a trail that comes along the sea,
6 on into Kalapana, but most of the people get access from the
7 Hilina Pali Road or from Kipuka Nene.

8 This acreage proposed for wilderness is 56,900, more or
9 less.

10 Area 3 is largely rain forests, of hapu'u and ohia, except
11 where new flows of Mauna Ulu leave barren lava. There is an
12 area of active volcanism here. Actually, Makaopuni Crater is
13 in the proposed wilderness. The former Alae Crater is in the
14 proposed wilderness, but the summit of Mauna Ulu is outside of
15 it. The boundary along the Kau side is just off of the Escape
16 Road -- the Escape Road that would be for visitors who are look-
17 ing at the volcanic activity.

18 The tract proposed there for wilderness is 7,600 acres.

19 Area 4 is the Olaa Forest Tract. It is hapu'u-ohia forest,
20 that is one of the very fine rain forests left on the Island.
21 This land was given to the Federal Government with the stipula-
22 tion that it be used as a scientific forest reserve and in keep-
23 ing with that, we have proposed a large block of it as wilder-
24 ness, have not included the smaller block across Wright Road
25 into the proposed wilderness.

1 The portion in yellow there is 10,100 acres.

2 We also have, as a special provision in the Wilderness
3 Proposal, that if we should be able to acquire the parcel of
4 land that is proposed in the Master Plan here, that is within
5 the authorized boundary of the Park by the sea and this piece
6 of Campbell land, that is within the authorized boundary -- if
7 we acquired those, this proposal would propose then to be added
8 as wilderness into the Park.

9 The particular values -- in this one, this is the area
10 that the Great Crack enters the sea and it's low, barren lava
11 lands, with great vistas across the ocean. The area that would
12 abut Area 3 is another piece of very fine virgin ohia and hapu'u
13 rain forest.

14 The lower area is about 2,000 acres; this piece is 5,800
15 acres.

16 In the study of roadless areas that might be suitable for
17 wilderness, we have left out some substantial areas of wild
18 lands and are not proposing these to be included in the Wilder-
19 ness Bill. One is a big chunk of land that borders the Caldera.
20 We have left this out because, within one of the mandates of
21 the Park, we have the obligation to allow for continued study
22 of volcanism in the Park, and this is an area that is heavily
23 instrumented with seismographs, tilt meters, geodimetering
24 stations that require almost instantaneous monitoring at times,
25 if it appears that an eruption that is going that would threaten

1 the habited areas, needs study; and so, access to the instru-
2 ments in this area is sometimes by 4-wheel drive vehicles, with
3 the Geologic Survey; and there is a rather heavy network of
4 wires going to seismographs, coming back to the Volcano Observa-
5 tory, that seem a little bit much for a wilderness area. So
6 even though it is roadless, the degree of research instrumenta-
7 tion in that portion is substantial.

8 Another major area of about 45,000 acres, formerly had a
9 road crossing it. The road is still there, but it is buried
10 anywhere from 10 to 300 feet of lava. We considered many of
11 the wilderness attributes of this piece of land, but have not
12 proposed any other for wilderness because in the legislation,
13 there is provision related to homesite opportunities for Hawai-
14 ians, and we find that this would be incompatible with wilder-
15 ness and we have not proposed any wilderness in this Kalapana
16 Extension of the National Park.

17 We have asked for special provisions within wilderness,
18 that would be exceptions to the normal Wilderness Act policies
19 related to National Park wilderness. One of these is to allow
20 for the continued volcanic research with instrumentation through-
21 out the areas that we have proposed for wilderness. These would
22 be typically seismograph or tilt stations or geodimetering sta-
23 tions that report back to the Volcano Observatory by radio-tele-
24 metry. Also, we don't know in the future what new techniques
25 of measuring volcanism will occur and we don't want to foreclose

1 new techniques of monitoring and warning people on volcanic
2 activity.

3 Another special provision is that we wish to have authority
4 to continue with the special feral animal control for goats and
5 pigs within wilderness areas. These would include drift and
6 boundary fences. It would include deputizing local citizens
7 to be Park Rangers for the purpose of taking goats and pigs.
8 It would be for the purpose of conducting goat drives and goat
9 sales within areas that are potential wilderness.

10 We also have asked for a special provision of providing
11 shelters along the coast area in places like Pepeiau and the
12 Kau Desert, along the Mauna Loa Trail and along the summit of
13 Mauna Loa, that more than being shelters, the function of these
14 shelters would be to collect rainfall and store rain so that
15 hikers would have some water in this country. I am sure you
16 are aware that within the boundaries of the Park, there are no
17 running water streams, there are no lakes, and you hike down
18 through this hot country, you very quickly get to the point in
19 some places that it is really tough to carry enough water for
20 more than a couple of days in that back country. So that the
21 provision for shelters is primarily to have some sort of water
22 capability for hikers in the back country.

23 John, I think that is a quick description of the Proposal.

24 HEARING OFFICER DAVIS: Thank you, Superintendent Harry.

25 Is there anyone present who wants to make a statement who

1 did not give advance notice? If so, please give your name to
2 the National Park Service Representative seated at the table
3 near the entryway, and we will take a very short break to per-
4 mit this to be done.

5 (Short recess)

6 HEARING OFFICER DAVIS: I think we might as well continue
7 the hearing now. We have had the opportunity to hear a presen-
8 tation of the Wilderness Proposal for the Park, so I will now
9 call for those who wish to make statements.

10 I know the Governor isn't here today, but does he have a
11 representative here, by any chance?

12 (No response)

13 HEARING OFFICER DAVIS: Has anyone been designated to speak
14 for a member of the United States Congress?

15 (No response)

16 HEARING OFFICER DAVIS: The official notice of the hearing
17 stated that time limitations may make it necessary to limit the
18 length of oral presentations; also, that it might be necessary
19 to restrict to one person, the presentation made in behalf of
20 an organization. In view of the very limited number of persons
21 who have indicated a desire to make a statement, I will forego
22 placing any time limitation on presentations. However, some of
23 you may wish to summarize your prepared statement orally and
24 file a more complete written statement at the same time for the
25 hearing record. If, at the time of your presentation of your

1 statement, you feel that your views have already been expressed
2 adequately by others, you may wish to simply endorse the pre-
3 vious statement or statements and file your own statement and
4 supporting materials for this record.

5 If anyone has a time problem and will speak to me about it,
6 I will try to do what I can to hear them earlier or later, as
7 the case may be.

8 So we will now move into the third category. Are there any
9 members of the Hawaii State Legislature present?

10 (No response)

11 HEARING OFFICER DAVIS: Is there an official representative
12 from the County of Hawaii, who would like to be heard?

13 (No response)

14 HEARING OFFICER DAVIS: Is there an official of any Federal
15 Agency or body present who would like to make a statement for
16 the record?

17 (No response)

18 HEARING OFFICER DAVIS: I have no cards at all for organi-
19 zations, so we will move on to the seventh category and that
20 would be individuals who wish to make statements; and I will
21 first call upon Mr. Norman K. Carlson. Mr. Carlson.

22 TESTIMONY OF MR. NORMAN K. CARLSON

23 MR. CARLSON: I am speaking as a private individual today
24 and not representing the Bishop Estate.

25 Yesterday, I was on the Mountains of Hualalai, looking

1 through this country, which was probably taken up yesterday in
2 another meeting -- quite perturbed about the way people used
3 this mountain, legally or illegally, and I would like to see it
4 under some kind of control, the same way as they are proposing
5 here.

6 I haven't seen all of this area under the Volcanoes Wilder-
7 ness Plan. I have been to the top of the mountain. One morn-
8 ing, we left Volcano about 3 o'clock in the morning and got up
9 to Mokuaweoweo Crater about 8 o'clock. I had 3 other people
10 with me. The 3 people I had with me couldn't take the altitude,
11 so we had to come back home pretty early; but as a conservation-
12 ist, or I hope I am one, I would like to see this wilderness
13 thing go through within the Park, which would preclude roads
14 and intensive use in these areas where there are very many
15 natural things to look at. The native plants should be pro-
16 tected. I hope they don't protect the goats and the sheep and
17 the pigs, though.

18 But I am relating this to what we have in the upper lands
19 of Kona, which I hope will be, eventually a wilderness area,
20 relating it back to the Volcanoes National Park in the wilder-
21 ness areas and hopefully, I hope that they get these set aside
22 as wilderness.

23 Thank you.

24 (Witness excused)

25 HEARING OFFICER DAVIS: Thank you, Mr. Carlson. Mr. David

1 K. Roy. Mr. Roy.

2 TESTIMONY OF MR. DAVID K. ROY

3 MR. ROY: Thank you. I speak as an individual, today. I
4 have not much to say, because most of it has been expressed by
5 people with whom I have been associated. My prime concern about
6 this matter is that the matter of the ramifications -- the mean-
7 ing of wilderness and what its effects will be, presently, to
8 the population involved in the vicinity. I think this is some-
9 thing that has to be very, very clearly expounded to the public,
10 so that they may, in the course of time, be able to understand
11 the concepts that you are trying to put across.

12 Many of us have been completely disassociated from this
13 sort of thing; and the average person on the street is com-
14 pletely unaware of what it means to have wilderness designation.
15 While I look at this matter of preservation of endemic plants
16 and the natural features of land here and growth, as something
17 that is necessary, at the same time, I have a question as to
18 what effects it has on our local population in areas bordering
19 the Olaa Rain Forest. Has there been enough of a study of an
20 on-site exploration and investigation of what its potentials
21 are towards support of local economics, for example? If an
22 area is suitable for productive agriculture, then, to place it
23 in wilderness, restricts it forever, I think, under the impli-
24 cations of your report there, from productive use.

25 I have not been in a position to get into the 10,000-acre

1 Olaa Forest to determine whether or not the concept of wilderness
2 infringes on agricultural activity there or potential; but as
3 I understand it, it is still State land or State land under
4 Federal Government control. Correct me if I am wrong, Mr. Harry?

5 MR. HARRY: That is correct.

6 MR. ROY: In which case, the control rests with the Federal
7 Government and I think that what it could do is administratively
8 control or administer the policies that they would like to see
9 effected under wilderness, and still leave themselves flexible
10 as to the ultimate needs of the population.

11 We have an area there that is presently very much in use
12 by local people. They produce their truck crops in that area
13 and I think Mr. Coy (phonetic) has quite a tomato operation in
14 that area. I just cannot come out and say, "Yes, this should
15 be closed off and designated wilderness", because I don't know
16 enough about it, and I don't think the study brings out enough;
17 and I would suggest that this area be explored further.

18 I am also concerned that in the Master Plan, certain areas
19 -- certain problem areas be cleared up, in order that further
20 progress of National Parks activities be able to continue with-
21 out adverse activity on the part of local people; and this has
22 been mentioned before, and I don't think I have to go into that;
23 but what I am suggesting here is that if there are problems, if
24 there are areas of dispute, if there are areas of concern of any
25 kind, that between now and the time legislation occurs, that

1 all efforts be made to level these things off for the understand-
2 ing of the people who are not in a position to understand. It
3 means a constant exposure of ideas, of consequences, and so
4 forth, that would affect the average layman in his thinking.

5 In general, I believe that the National Park Service is
6 launching into a program which is beneficial to the public, is
7 necessary to the public, and is necessary for the projections
8 of many of our people in the native population; but I think it
9 has to be done in such a way that all of them understand what
10 the Park is trying to accomplish. Maybe we are premature in
11 some areas, and if we are, let's look into it very carefully
12 and take these things up and analyze the pros and cons and be
13 sure that everybody has a chance to come in and be heard in the
14 interim -- not only be heard, but be considered. It's one thing
15 to come up and say something and it's another thing to come up
16 and say something, and knowing full well that your thoughts will
17 be thrown on the side. And so, I would like to simply state
18 that I think we have got the germ of program which could be
19 beneficial to everybody. On the other hand, we must be sure
20 that the way is cleared for progress, in the proper manner.

21 And with one afterthought -- I would like to say that the
22 Government is here for the people, the people are the Govern-
23 ment; and it is not a one-sided situation. I think that the
24 Agencies of the Government have made a good start by coming to
25 us in this manner, exposing their plans, and so forth, of giving

1 us a chance to come in and mention our opinions. But I think
2 that it goes a little further than that. Once you get our
3 opinions, you put them together, we had better review that again.

4 Aside from that, I think my thoughts have been expressed
5 by others adequately, and I thank you very much, Mr. Davis.

6 (Witness excused)

7 HEARING OFFICER DAVIS: Thank you, Mr. Roy. We now have
8 completed the list of those individuals who wish to make a
9 statement for the official record. This hearing, however, will
10 continue the rest of the morning and will also continue this
11 afternoon until 5 o'clock; so until someone appears who wants
12 to make a statement for the record, why, we will now go into
13 recess.

14 (Whereupon, at 10:07 o'clock a.m., a recess was taken until
15 12:00 o'clock noon, at which time the hearing reconvened.)

16 HEARING OFFICER DAVIS: The hearing is back in session.
17 There has been no one appear since the time we have been in
18 recess and we will continue our recess until 1 o'clock.

19 (Whereupon, at 12:00 o'clock noon, a recess was taken until
20 1:30 o'clock p.m.)

21 AFTERNOON SESSION

22 HEARING OFFICER DAVIS: The hearing will be reopened and
23 we will now terminate it, with a few brief remarks.

24 I have several letters, as well as written statements per-
25 taining to Wilderness Proposals, for the establishment of wil-

1 derness in Hawaii Volcanoes National Park. These will be in-
2 cluded in the official hearing record.

3 I want to repeat that anyone desiring a copy of the tran-
4 script should make arrangements with the Reporter to obtain it.
5 Mr. Chun will be able to advise you what the cost will be for
6 this service. It will be available within approximately 10
7 days.

8 I wish to thank everyone of you who presented statements
9 and related information, for the orderly manner in which they
10 have been presented and for the excellent cooperation all of
11 you have given us during this hearing.

12 Since it appears that all interested organizations and per-
13 sons have been heard on the matters with which this hearing was
14 concerned, I declare the hearing closed.

15 (Whereupon, at 1:31 o'clock p.m., the hearing in the above-
16 entitled matter was closed.)
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BEFORE THE

U. S. NATIONAL PARK SERVICE

CAPTAIN COOK, KONA, HAWAII

In the Matter of:

WILDERNESS PROPOSAL,
HAWAII VOLCANOES NATIONAL PARK

I, the undersigned Wm. Chun, hereby certify that I was
Official Reporter in the above-captioned proceedings; that these
proceedings were then and there recorded by me on the date as
set forth in captioned Page 1 hereof; that thereafter, these
proceedings were reduced by me and/or under my direction to
typewriting; that the foregoing transcript, Pages 1 to 19, both
inclusive, constitutes a full, true and accurate transcript of
said proceedings, so recorded by me, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th
day of March, 1974.

WM. CHUN,
Official Reporter;
P. O. Box 3854,
Portland, Oregon 97208.